1/1/76

Dear Paul,

Each day I do a little more. Yesterday I actually walked a mile, which up and down hill, softened muscles and phlebitis is, I think, pretty good. I could have walked more because the discomfort was not that great but I'm being cautious. Each day I do just a little more. It is not fear. It is ignorance. I've learned nothing about the ailment I didn't know from the publicity about Nixon's except from an article my wife gave me to read.

I defied orders and made myself a typewriter table I do not have to straddle. I'll have to figure out a way of keeping the less-inflamed leg higher without back discomfort but I've not tackled that yet. It isn't like when I was a kid and covered sports events with a portable on my lap. In fact, I still have that portable. It is the same model Royal that the CIA fixed up with a minerature transmitter to keep tabs on Agee. There is a broken part that is no longer made. I keep it in the hope that I may yet find a Royal outlet that can replace it. It is like a small upright.

When I got out to the road I found walking too dangerous after the night's snow and the sun's thawing. So, before getting into the day's real work, revising interrogatories that will have the DJ climbing the walls and may produce more King data, I'm writing you. With a special purpose and not to increase what I suspect is a sense of futility that you feel. I'll explain.

Last night I wrote Jimmy Ray a letter in response to one he wrote me but hasn't yet reached me. He sought my advice on several matters, proposed a new book to me, and sent copies to the lawyers. Because these and other matters are less risky face to face, where I don't suspect a bug as much as I know his mail is intercepted and because I'll be closer and flying there will be less costly when I speak in Carolina on the 15th, I decided to make partial answer that would get in the mail tomorrow and should reach him sooner. As I wrote him it slowly dawn on me that despite the odds I've got CBS, for all its power, boxed in. As of two weeks ago they were telling reporters they'd support the official account, with a little hedging. Now I'm certain that they'll come out for an "independent" investigation. I'm not going into all the reasoning and this will be in the mail before their show is aired. So maybe I'll look foolish. But as of now I think now. I think also that with the Times' series now three weeks late I may have fought through some if not enough there. And it has been fighting, for a hard month and when I was really weak. I know the series was in New York three days ago and unless there is a story in today's paper nothing has appeared. With tomorrow the night of the CBS show, which they were going to "beat."

What probably did it was the press conference I held on the 11th. Not only did I release what I'd gotten from the FBI and make and give copies to CBS but there were many repprters there. This in itself gave CBS people a real problem. How could they face their peers? More, I explained it all and again made criminal charges that if not true could get me into suits, even prosecution. Now CBS was there. Five people, in fact, with the first four too sign in at the early morning conference CBS people. They filmed every minute. They had to for various reasons. They wanted me on the show and I'd refused. They were mad at me and needed every minute to use against me. They also didn't know what I had or would say (even I didn't because I'd had to shift once I got Congressional sponsorship). So the rest is that in New York, where I know there are honest people who have been fighting the dishonesty of the whole series there was this film, with proof from the FBI files, that the charges againstRay were false, framed and to the knowledge of all connected in any way with the prosecution, including countless people in the FBI and DJ (to say nothing of Memphis) were false and proof he was deliberately framed.

I was as careful as one can be in extemporaneous speaking on a tough subject but I was tough, explicit and without the possibility of refutation. I even held up pictures I said the FBI deliberately selected to lend themselves to misuse by CBS and compared this with the right pictures of the recovered fragment of fatal bullet. I don't know who else filmed, but it was not CBS alone. Another CBS problem.

So first let us assume that CBS does come out for an independent investigation, whatever they or anyone else take this to mean.

What does this mean in your part of the world, in your business and related ones? Would that make it "safe?"

If it would, then what about my rights and their value?

I don't know what the law is, but the basic work is mine by copyright. The new work is mine by work product. I did all the investigating and actually roughed out the entire case that was presented in the evidentiary hearing. The approach as well was mine. Part was fucked up by that yellow bastard Fensterwald. Had he not done this I think we'd have won on the spot, if not before that judge on appeal that would have been ruled on long before this.

Don't misunderstand me. The real locad in court was carried by young Jim Lesar. He also picked up my initial work in Frame-Up on the corruption of the contracts and did remarkably on that. But the whole concept of putting in an exculpatory case and subjecting it to cross-examination and rebuttal - both of which were not dared - was mine, as was the evidence and the witnesses. All this when the AG was saying openly and to my face in the presence of a witness "You're the one I'm going to get!" (So, I went and got myself a local criminal lawyer with the best local Mafia clients and continued my work. And he did not get me. In the end I got him. What happened to him in court, despite the decision, plus the charges I'd made prior to the hearing and his own other misconduct were enough to get him fired.

If without Jim Lesar what we have accomplished would have been impossible, the fact is that it is my work, my legal thinking, even me preparing the lawyers to ruin the rebuttal witnesses. (The last in its cell was quite a dramatic thing that so embarrassed a Bantam vice president nobody there will ever forgive me.)

Can it still be that when the Attorney General himself says that what the FBI did has to be looked into (only, despite the headlines, what Hoover did to King, though), and then something like CBS says, as I now expect, that there should be an independent investigation - and it is my work and I have totally exculpatory evidence now from the FBI's files too - that there would still be fear, still be a reluctance to recognize if nothing else the possibilities of profit in this hot as the subject is today?

There may be another book. If so, not the usual one. I've done some thinking on this and have a different formulation in mind for when I speak to Jimmy. If the lawyers have no objection, there can be one real quick. With pictures, with copies of FBI lab reports and sketches. With enough to put people in (won't happen) jail (not as assassins but as felons) and to get others disbarred and discredited. I can see how all this can be done without giving away any of the coming (I hope) defense and running afoul of any legalities, any court, etc. It would be Jimmy's book, with me. My work and what he says. I would insist on a stipulation of two. Like someone else to handle the revenue, a lawyer not part of the case. That the revenue be used for the defense. Things like that. A non-commercial venture no matter how commercial in the market place.

We could break this case before the Congress can - and with it.

Think it over after the CBS show has whatever impact it has there, which you might know by the time you get this. Sorry other work keeps me from correcting the typos. I have to get the interrogatories for the FBI to answer done today. Have a good year,